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EXAMINER
MOORE JR, MICHAEL J

ART UNIT	PAPER NUMBER
2666	

DATE MAILED: 08/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/970,065	BEATHARD, ROGER V.
	Examiner	Art Unit	
	Michael J. Moore, Jr.	2666	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _03 October 2001_.
2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-32_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) _1-32_ is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on _03 October 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
    1.☐ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1.   Claims **6, 9, 10, 12-14, 19, 22, and 28** are objected to because of the following informalities:

Regarding claim **6**, on line 2, the word "on" after the word "stored" should be "in".

Regarding claim **9**, on line 4, the word "on" after the word "request" should be "in". Also, on line 6, the word "on" after the word "request" should be "in".

Regarding claim **10**, on line 12, the word "on" after the word "request" should be "in". Also, on line 17, the word "on" after the word "request" should be "in". Also, on line 22, the word "on" after the word "request" should be "in". Lastly, on line 25, the word "on" after the word "stored" should be "in".

Regarding claim **12**, on line 5, the word "on" after the word "stored" should be "in".

Regarding claim **13**, on line 4, the word "on" after the word "request" should be "in". Also, on line 6, the word "on" after the word "request" should be "in".

Regarding claim **14**, on line 7, the word "the" before the word "controller" should be "a".

Regarding claim **19**, on line 2, the word "on" after the word "stored" should be "in".

Regarding claim **22**, on line 4, the word "a" before the word "controller" should be "the".

Regarding claim **28**, on line 2, the word "the" before the word "secondary" should

be "a".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims **1, 3-6, 8, 10, 12, 14, 16-20, 31, and 32** are rejected under 35

U.S.C. 102(e) as being anticipated by Gummalla et al. (U.S. 2002/0154655)

("Gummalla"). Gummalla teaches all of the limitations of the specified claims with the

reasoning that follows.

Regarding claim **1**, "receiving a token request from a device" is anticipated by

CMTS 102 receiving one or more bandwidth requests (token request) from one or more

cable modems 104 (device) as shown in Figure 3 and spoken of on page 3, paragraph

40. "Determining a registration load on the controller" is anticipated by the combination

of one or more bandwidth requests (registration load) to create a single data burst

bandwidth as shown in Figure 3 and spoken of on page 3, paragraph 41. "Granting a

token to the device in response to the registration load" is anticipated by CMTS 102

granting the data burst bandwidth to the appropriate cable modem 104 (device) via

downstream communication 106 as shown in Figure 3 and spoken of on page 3,

paragraph 42, lines 1-3.

"Receiving a token registration request from the device" is anticipated by CMTS

102 receiving one or more bandwidth requests (token registration request) from one or

more cable modems 104 (device) as shown in Figure 3 and spoken of on page 3,

paragraph 40. Lastly, "storing the token registration request in a registration queue

upon determining that the device has been granted the token" is anticipated by the

CMTS scheduler 110 storing each bandwidth request (token registration request) in the

plurality of queues of data structure 112 (registration queue) as spoken of on page 4,

paragraph 43, lines 7-12.

Regarding claim **3**, "receiving an initial registration request from a second device"

is anticipated by CMTS 102 receiving one or more bandwidth requests (initial

registration request) from one or more cable modems 104 (device) as shown in Figure 3

and spoken of on page 3, paragraph 40. Lastly, "storing the initial registration request in

the registration queue at a lower priority than the token registration request" is

anticipated by the storing of data requests with the lowest priority in queue 508 of data

structure 112 as spoken of on page 4, paragraph 44.

Regarding claim **4**, "receiving a priority device registration request from a second

device" is anticipated by CMTS 102 receiving one or more bandwidth requests (priority

device registration request) from one or more cable modems 104 (device) as shown in

Figure 3 and spoken of on page 3, paragraph 40. Lastly, "storing the priority device

registration request in the registration queue at a higher priority than the token

registration request" is anticipated by the storing of data requests with the highest

priority in queue 502 of data structure 112 as spoken of on page 4, paragraph 44.

Regarding claim **5**, "wherein the device comprises a first packet-based telephony

device" is anticipated by cable modem 104 (device) of Figure 1. "Receiving an initial

registration request from a second packet-based telephony device" is anticipated by

CMTS 102 receiving one or more bandwidth requests (initial registration request) from

one or more cable modems 104 (device) as shown in Figure 3 and spoken of on page

3, paragraph 40. "Storing the initial registration request in the registration queue at a

lower priority than the token registration request" is anticipated by the storing of data

requests with the lowest priority in queue 508 of data structure 112 as spoken of on

page 4, paragraph 44.

"Receiving a priority device registration request from a telephony gateway

device" is anticipated by CMTS 102 receiving one or more bandwidth requests (priority

device registration request) from one or more cable modems 104 (device) as shown in

Figure 3 and spoken of on page 3, paragraph 40. Lastly, "storing the priority device

registration request in the registration queue at a higher priority than the token

registration request" is anticipated by the storing of data requests with the highest

priority in queue 502 of data structure 112 as spoken of on page 4, paragraph 44.

Regarding claim **6**, "processing registration requests stored on the registration

queue in priority order and at a rate determined by the processing resources of the

controller" is anticipated by CMTS scheduler 110 scheduling bandwidth requests to be

serviced based on priority identifiers and the order in which the requests were received

as spoken of on page 4, paragraph 48, lines 1-6.

Regarding claim **8**, "wherein the registration load comprises at least one of a

processor load of the controller and a number of registration requests stored in the

registration queue" is anticipated by the combination of one or more bandwidth requests

(processor load) to create a single data burst bandwidth as shown in Figure 3 and

spoken of on page 3, paragraph 41.

Regarding claim **10**, "receiving a token request from a first packet-based

telephony device" is anticipated by CMTS 102 receiving one or more bandwidth

requests (token request) from one or more cable modems 104 (packet-based telephony

device) as shown in Figure 3 and spoken of on page 3, paragraph 40. "Determining a

registration load on the call manager" is anticipated by the combination of one or more

bandwidth requests (registration load) to create a single data burst bandwidth as shown

in Figure 3 and spoken of on page 3, paragraph 41.

"Granting a token to the first packet-based telephony device in response to the

registration load" is anticipated by CMTS 102 granting the data burst bandwidth to the

appropriate cable modem 104 (packet-based telephony device) via downstream

communication 106 as shown in Figure 3 and spoken of on page 3, paragraph 42, lines

1-3. "Receiving a token registration request from the first packet-based telephony

device" is anticipated by CMTS 102 receiving one or more bandwidth requests (token

registration request) from one or more cable modems 104 (packet-based telephony

device) as shown in Figure 3 and spoken of on page 3, paragraph 40.

"Storing the token registration request on a registration queue upon determining

that the device has been granted the token" is anticipated by the CMTS scheduler 110

storing each bandwidth request (token registration request) in the plurality of queues of

data structure 112 (registration queue) as spoken of on page 4, paragraph 43, lines 7-

12. "Receiving an initial registration request from a second packet-based telephony

device" is anticipated by CMTS 102 receiving one or more bandwidth requests (initial

registration request) from one or more cable modems 104 (device) as shown in Figure 3

and spoken of on page 3, paragraph 40. "Storing the initial registration request in the

registration queue at a lower priority than the token registration request" is anticipated

by the storing of data requests with the lowest priority in queue 508 of data structure

112 as spoken of on page 4, paragraph 44.

"Receiving a priority device registration request from a telephony gateway

device" is anticipated by CMTS 102 receiving one or more bandwidth requests (priority

device registration request) from one or more cable modems 104 (telephony gateway

device) as shown in Figure 3 and spoken of on page 3, paragraph 40. "Storing the

priority device registration request in the registration queue at a higher priority than the

token registration request" is anticipated by the storing of data requests with the highest

priority in queue 502 of data structure 112 as spoken of on page 4, paragraph 44.

Lastly, "processing registration requests stored on the registration queue in priority

order and at a rate determined by the processing resources of the call manager" is

anticipated by CMTS scheduler 110 scheduling bandwidth requests to be serviced

based on priority identifiers (priority order) and the order in which the requests were

received as spoken of on page 4, paragraph 48, lines 1-6.

Regarding claim **12**, "wherein the registration load comprises at least one of a

processor load of the controller and a number of registration requests stored on the

registration queue" is anticipated by the combination of one or more bandwidth requests

(processor load) to create a single data burst bandwidth as shown in Figure 3 and

spoken of on page 3, paragraph 41.

Regarding claim **14**, "an interface operable to receive a token request from a

device, the interface further operable to receive a token registration request from the

device" is anticipated by CMTS 102 (interface) receiving one or more bandwidth

requests (token registration request) from one or more cable modems 104 (device) as

shown in Figure 3 and spoken of on page 3, paragraph 40. "A processor operable to

determine a registration load on the controller" is anticipated by the combination of one

or more bandwidth requests (registration load) by CMTS scheduler 110 (processor) to

create a single data burst bandwidth as shown in Figure 3 and spoken of on page 3,

paragraph 41.

"The processor further operable to grant a token to the device in response to the

registration load" is anticipated by CMTS 102 (processor) granting the data burst

bandwidth to the appropriate cable modem 104 (device) via downstream

communication 106 as shown in Figure 3 and spoken of on page 3, paragraph 42, lines

1-3. Lastly, "a registration queue operable to store the token registration request upon

determining that the device has been granted the token" is anticipated by the CMTS

scheduler 110 storing each bandwidth request (token registration request) in the

plurality of queues of data structure 112 (registration queue) as spoken of on page 4,

paragraph 43, lines 7-12.

Regarding claim **16**, "the interface receives an initial registration request from a

second device" is anticipated by CMTS 102 (interface) receiving one or more bandwidth

requests (initial registration request) from one or more cable modems 104 (device) as

shown in Figure 3 and spoken of on page 3, paragraph 40. Lastly, "the registration

queue stores the initial registration request at a lower priority than the token registration

request" is anticipated by the storing of data requests with the lowest priority in queue

508 of data structure 112 as spoken of on page 4, paragraph 44.

Regarding claim **17**, "the interface receives a priority device registration request

from a second device" is anticipated by CMTS 102 (interface) receiving one or more

bandwidth requests (priority device registration request) from one or more cable

modems 104 (device) as shown in Figure 3 and spoken of on page 3, paragraph 40.

Lastly, "the registration queue stores the priority device registration at a higher priority

than the token registration request" is anticipated by the storing of data requests with

the highest priority in queue 502 of data structure 112 as spoken of on page 4,

paragraph 44.

Regarding claim **18**, "the device comprises a first packet-based telephony

device" is anticipated by cable modem 104 (device) of Figure 1. "The interface receives

an initial registration request from a second packet-based telephony device and a

priority device registration request from a telephony gateway device" is anticipated by

CMTS 102 receiving one or more bandwidth requests (initial registration request, priority

device registration request) from one or more cable modems 104 (device) as shown in

Figure 3 and spoken of on page 3, paragraph 40. Lastly, "the registration queue stores

the initial registration request at a lower priority than the token registration request and

the priority device registration request at a higher priority than the token registration

request" is anticipated by the storing of data requests with the lowest priority in queue

508 as well as the storing of data requests with the highest priority in queue 502 of data

structure 112 as spoken of on page 4, paragraph 44.

Regarding claim **19**, "wherein the controller processes registration requests

stored on the registration queue in priority order and at a rate determined by the

processing resources of the controller" is anticipated by CMTS scheduler 110

scheduling bandwidth requests to be serviced based on priority identifiers and the order

in which the requests were received as spoken of on page 4, paragraph 48, lines 1-6.

Regarding claim **20**, "wherein the registration load comprises at least one of a

processor load of the controller and a number of registration requests stored in the

registration queue" is anticipated by the combination of one or more bandwidth requests

(processor load) to create a single data burst bandwidth as shown in Figure 3 and

spoken of on page 3, paragraph 41.

Regarding claim **31**, "receive a token request from a device" is anticipated by

CMTS 102 receiving one or more bandwidth requests (token request) from one or more

cable modems 104 (device) as shown in Figure 3 and spoken of on page 3, paragraph

40. "Determine a registration load on the controller" is anticipated by the combination of

one or more bandwidth requests (registration load) to create a single data burst

bandwidth as shown in Figure 3 and spoken of on page 3, paragraph 41. "Grant a

token to the device in response to the registration load" is anticipated by CMTS 102

granting the data burst bandwidth to the appropriate cable modem 104 (device) via

downstream communication 106 as shown in Figure 3 and spoken of on page 3,

paragraph 42, lines 1-3.

"Receive a token registration request from the device" is anticipated by CMTS

102 receiving one or more bandwidth requests (token registration request) from one or

more cable modems 104 (device) as shown in Figure 3 and spoken of on page 3,

paragraph 40. Lastly, "store the token registration request in a registration queue upon

determining that the device has been granted the token" is anticipated by the CMTS

scheduler 110 storing each bandwidth request (token registration request) in the

plurality of queues of data structure 112 (registration queue) as spoken of on page 4,

paragraph 43, lines 7-12.

Regarding claim **32**, "means for receiving a token request from a device" is

anticipated by CMTS 102 (means) receiving one or more bandwidth requests (token

request) from one or more cable modems 104 (device) as shown in Figure 3 and

spoken of on page 3, paragraph 40. "Means for determining a registration load on the

controller" is anticipated by the combination of one or more bandwidth requests

(registration load) by CMTS 102 (means) to create a single data burst bandwidth as

shown in Figure 3 and spoken of on page 3, paragraph 41. "Means for granting a token

to the device in response to the registration load" is anticipated by CMTS 102 (means)

granting the data burst bandwidth to the appropriate cable modem 104 (device) via

downstream communication 106 as shown in Figure 3 and spoken of on page 3,

paragraph 42, lines 1-3.

"Means for receiving a token registration request from the device" is anticipated

by CMTS 102 receiving one or more bandwidth requests (token registration request)

from one or more cable modems 104 (device) as shown in Figure 3 and spoken of on

page 3, paragraph 40. Lastly, "means for storing the token registration request in a

registration queue upon determining that the device has been granted the token" is

anticipated by the CMTS scheduler 110 (means) storing each bandwidth request (token

registration request) in the plurality of queues of data structure 112 (registration queue)

as spoken of on page 4, paragraph 43, lines 7-12.

4.   Claims **22 and 28-30** are rejected under 35 U.S.C. 102(b) as being anticipated

by Buchholz et al. (U.S. 5,493,569) ("Buchholz"). Buchholz teaches all of the limitations

of the specified claims with the reasoning that follows.

Regarding claim **22**, "communicating a token request to a controller" is

anticipated by control module (CM) 110 (controller) that receives requests (token

request) from user modules (UMs) 112 as shown in step 602 of Figure 6 and spoken of

on column 6, lines 43-46. "Receiving a token from the controller" is anticipated by CM

110 (controller) that sends a grant (token) to UM 112 in step 612 of Figure 6 as spoken

of on column 6, lines 61-62. "Communicating a token registration request to the

controller, the token registration request indicating that the device has received the

token from the controller" is anticipated by the transmission of data (token registration

request) by UM 112 upon reception of a grant (token) from CM 110 (controller) as

shown in step 722 of Figure 7 and spoken of on column 8, lines 52-56. Lastly,

"receiving a registration acknowledgement from the controller" is anticipated by the

request acknowledgment (registration acknowledgment) received by CM 110

(controller) in step 708 of Figure 7 as spoken of on column 8, lines 15-18.

Regarding claim **28**, "periodically and repeatedly communicating a message to

the controller and determining that the controller has become available if the controller

acknowledges the message" is anticipated by the requests (message) sent by UMs 112

to CM 110 and the request acknowledgment received by CM 110 as shown in steps 704

and 708 of Figure 7.

Regarding claim **29**, "communicating a prior token request" is anticipated by

control module (CM) 110 (controller) that receives requests (token request) from user

modules (UMs) 112 as shown in step 602 of Figure 6 and spoken of on column 6, lines

43-46. "Receiving a response denying the prior token request, the response having a

retry time" is anticipated by the reception of a request acknowledgement (response)

sent by CM 110 in step 708 of Figure 7 that initiates the start of a grant timer (retry time)

in step 714 of Figure 7.

Regarding claim **30**, "the token granted to the device includes a timeout" is

anticipated by the grant timeout shown in 718 of Figure 7. Lastly, "receiving a

registration acknowledgment from the controller occurs if the controller receives the

token registration request prior to expiration of the timeout" is anticipated by request

acknowledgement received in step 708 of Figure 7 prior to grant timeout 718 of Figure

7.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims **2 and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Gummalla et al. (U.S. 2002/0154655) ("Gummalla") in view of Mahalingaiah et al. (U.S.

6,654,346) ("Mahalingaiah").

Regarding claims **2 and 15**, Gummalla teaches the method of claim **1** and the

apparatus of claim **14**. Gummalla also teaches cable modem 104 (packet-based

telephony device) of Figure 1. Gummalla does not teach a registration table that stores

an address mapping for a device upon registration. However, Mahalingaiah teaches

priority arbiter 140 (controller) in Figure 16 that contains a module priority mapping table

that associates (maps) a user source address/destination address to a priority and a

module address as shown in Figure 16 and spoken of on column 21, lines 34-43. At the

time of the invention, it would have been obvious to someone skilled in the art to

combine the mapping table of Mahalingaiah with the controller of Gummalla in order to

assign priority to incoming packets so that bandwidth allocation can be regulated.

7.   Claims **7, 9, 11, 13, and 21** are rejected under 35 U.S.C. 103(a) as being

unpatentable over Gummalla et al. (U.S. 2002/0154655) ("Gummalla") in view of

Buchholz et al. (U.S. 5,493,569) ("Buchholz").

Regarding claims **7 and 11**, Gummalla teaches the methods of claims **1 and 10**.

Gummalla does not teach denying the token request and communicating a response to

a device having a retry time that indicates when the device should communicate

another token request. However, Buchholz teaches the reception of a request

acknowledgement (response) sent by CM 110 in step 708 of Figure 7 that initiates the

start of a grant timer (retry time) in step 714 of Figure 7. At the time of the invention, it

would have been obvious to someone skilled in the art to combine the retry time

teachings of Buchholz with the teachings of Gummalla in order to regulate contention

between devices that are retransmitting requests.

Regarding claims **9, 13, and 21**, Gummalla teaches the methods of claims **1 and

10** as well as the apparatus of claim **14**. Gummalla does not teach the granted token

including a timeout and storing the token registration request in the registration queue if

the request is received prior to expiration of the timeout. However, Buchholz teaches a

request acknowledgement that is received in step 708 of Figure 7 prior to grant timeout

718 of Figure 7. At the time of the invention, it would have been obvious to someone

skilled in the art to combine the timeout teachings of Buchholz with the teachings of

Gummalla in order to regulate retransmission of requests.

8.   Claims **23 and 25** are rejected under 35 U.S.C. 103(a) as being unpatentable

over Buchholz et al. (U.S. 5,493,569) ("Buchholz") in view of Lu et al. (U.S.

2002/0194345) ("Lu").

        Regarding claims **23 and 25**, Buchholz teaches the method of claim **22**.

Buchholz also teaches setting the retry counter in step 702 of Figure 7 (configuring the

device), sending requests (initial registration request) to the control module in step 704,

and receiving a grant in response to the request in step 716. Buchholz does not teach

determining that the controller is unavailable, registering with a secondary controller and

determining while registered with the secondary controller that the controller has

become available. However, Lu teaches the switching of client packets to one server

(controller) among a group of servers (controllers) in order to provide required QoS as

spoken of on page 2, paragraph 19. At the time of the invention, it would have been

obvious to someone skilled in the art to combine the server switching teachings of Lu

with the teachings of Buchholz in order to select the best server to provide required QoS

and load balancing.

9.   Claim **24** is rejected under 35 U.S.C. 103(a) as being unpatentable over

Buchholz et al. (U.S. 5,493,569) ("Buchholz") in view of Mahalingaiah et al. (U.S.

6,654,346) ("Mahalingaiah").

        Regarding claim **24**, Buchholz teaches the method of claim **22**. Buchholz also

teaches UMs 112 (packet-based telephony devices). Buchholz does not teach a

registration table that stores an address mapping for a device upon registration.

However, Mahalingaiah teaches priority arbiter 140 (controller) in Figure 16 that

contains a module priority mapping table that associates (maps) a user source

address/destination address to a priority and a module address as shown in Figure 16

and spoken of on column 21, lines 34-43. At the time of the invention, it would have

been obvious to someone skilled in the art to combine the mapping table of

Mahalingaiah with the controller of Buchholz in order to assign priority to incoming

packets so that bandwidth allocation can be regulated.

10.   Claims **26 and 27** are rejected under 35 U.S.C. 103(a) as being unpatentable

over Buchholz et al. (U.S. 5,493,569) ("Buchholz") in view of Wang et al. (U.S.

6,826,160) ("Wang").

        Regarding claims **26 and 27**, Buchholz teaches the method of claim **22**.

Buchholz does not teach detecting a network connection, requesting a device address,

receiving the address from a DHCP server, requesting configuration information using a

resource address, receiving line assignments and configuring the device using the line

assignments. However, Wang teaches a method of dynamic bandwidth allocation in

Figure 3 where at step 302, a user issues a request to log onto a network (device

configuration) for transmission as spoken of on column 10, lines 8-11. At the time of

invention, it would have been obvious to someone skilled in the art to combine the

network logon teachings of Wang with the teachings of Buchholz in order to establish a

network connection between an end user and a controller before requests are sent.

Conclusion

11.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. Bredin (U.S. 6,516,369), Eshel et al. (U.S. 2003/0018606), and

McKinnon, III et al. (U.S. 6,917,628) are other references pertinent to this application.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Michael J. Moore, Jr. whose telephone number is (571)

272-3168. The examiner can normally be reached on Monday-Friday (8:30am -

5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Seema S. Rao can be reached at (571) 272-3174. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Michael J. Moore, Jr.
Examiner
Art Unit 2666

mjm MM

DANG TON
PRIMARY EXAMINER